

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RAYMOND A. COLLINS,

Petitioner,

v.

04-CV-1472
(95-CR-232)

UNITED STATES OF AMERICA,

Respondent.

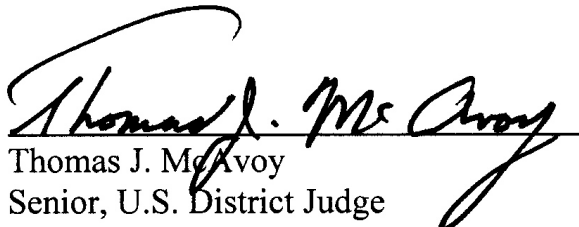
THOMAS J. McAVOY
Senior United States District Judge

DECISION & ORDER

On July 20, 2005, the Court issued a Decision and Order that denied and dismissed Petitioner Raymond Collins' motion for relief brought pursuant to 28 U.S.C. §2255. See July 20, 2005 Decision & Order, dkt.#17. In dismissing the Petition, the Court determined, *sua sponte*, that Petitioner was not eligible for a Certificate of Appealability (COA) pursuant to 28 U.S.C. § 2253. Id. Thereafter, Petitioner moved for reconsideration of the July 20, 2005 Decision and Order, arguing, *inter alia*, that the Court erred as a matter of law by its *sua sponte* denial of a COA. Petitioner's motion for reconsideration was denied. See June 27, 2006 Decision and Order, dkt. # 25. Petitioner now makes a "Renewed Application for a Certificate of Appealability." See dkt. # 26. For the reasons previously discussed in the July 20, 2005 Decision & Order and the June 27, 2006 Decision and Order, the application [dkt. # 26] is **DENIED**.

IT IS SO ORDERED.

Dated: December 7, 2006


Thomas J. McAvoy
Senior, U.S. District Judge